

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IRMA LEE EAGLE,)	
)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. CIV-22-70-PRW
KILOLO KIJAKAZI,)	
Acting Commissioner of Social)	
Security Administration,)	
)	
)	
Defendant.)	

ORDER

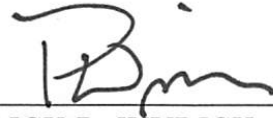
Before the Court Plaintiff Irma Lee Eagle’s Application for Award of Attorney’s Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412 (Dkt. 25), seeking an award of \$8,883.00 in attorney’s fees. Defendant Kilolo Kijakazi, the Acting Commissioner of Social Security, responded to Ms. Eagle’s motion (Dkt. 27). In that response, the Commissioner states that “upon further conferral, the parties have agreed that an EAJA award of \$5,500.00 . . . is reasonable in this case.”¹ Upon review, and in light of the parties’ agreement, Ms. Eagle’s motion (Dkt. 25) is **GRANTED** in part and **DENIED** in part. Accordingly, the Court **ORDERS** as follows:

1. Defendant shall pay Plaintiff a total of \$5,500.00 in attorney’s fees pursuant to the EAJA;
2. Defendant’s payment of this amount bars any and all claims Plaintiff may have relating to EAJA fees and expenses in connection with this action;

¹ See Def.’s Resp. (Dkt. 27), at 1.

3. If Plaintiff's counsel is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b), he shall refund the lesser award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED this 14th day of July 2023.

A handwritten signature in black ink, appearing to read 'P. Wyrick', is written above a horizontal line.

PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE